

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of:)	
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Takashi KATO et al.)	Examiner: A. V. Amari
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Application No.: 09/362,698)	Group Art Unit: 2872
	:	
Filed: July 29, 1999)	Confirmation No.: 7175
	:	
For: OPTICAL SYSTEM AND OPTICAL)	February 7, 2008
INSTRUMENT WITH DIFFRACTIVE	:	
OPTICAL ELEMENT)	
	:	
U.S. Patent No. 6,829,091 B2)	
	:	
Issued: December 7, 2004)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ATTN: Magdalene Talley
for Mary Diggs, Supervisor
Decisions & Certificates of Correction Branch

REQUEST FOR RECONSIDERATION OF PARTIAL DENIAL
TO ISSUE CERTIFICATE OF CORRECTION

Sir:

Patentees request reconsideration of the U.S. Patent and Trademark Office's partial denial (dated January 23, 2008) of their Request for issuance of a Certificate of Correction in the above-identified patent. (Patentees' Request was filed on February 25, 2005.) A copy of the denial is attached.

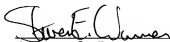
The denial was based on the premise that Patentees' request to insert a missing paragraph at column 30, line 51, of this patent cannot be made because it does not meet the statutory requirement that the type of mistake must be (1) of a clerical nature, (2) of a typographical nature, or (3) a mistake of minor character. This contention is respectfully traversed. Patentees submit that the correction requested at column 30, line 51 is, at

minimum, of a clerical nature and of a typographical nature inasmuch as it is a paragraph omitted by the U.S. Patent and Trademark Office at the time of printing. In this regard, attention is directed to the original disclosure on page 83 at lines 20 to 25. This the paragraph in question, which was omitted from the printed patent. Patentees submit that the omission of this paragraph was clerical or typographical, and that, to ensure completeness of the record, this paragraph should have been included in the printed patent. To add this paragraph by way of Certificate of Correction is Patentees' only recourse.

Accordingly, Patentees request that reconsideration be given to the denial, and that a Certificate of Correction be issued under to Rules 1.322 and 1.323 with all of the corrections requested, including insertion of the omitted paragraph.

Patentees' undersigned attorney may be reached in our Washington, D.C. Office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Steven E. Warner", is written over a horizontal line.

Attorney for Patentees
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